

'You must at once perceive, that the efficiency of the law of the legislature depends upon the certificates, thus required; and that unless it is given before the first of October next, the subscription of the city of Baltimore to the rail road company, cannot be made by the mayor under the ordinance. These causes will account for my calling your attention to the subject with the request, that you will lay the matter before your board at the earliest date. Even after your certificate shall be given, much will remain to be done, and it is advisable therefore, that there should be as little delay in the matter as can be avoided.'

(Signed)

WM. STEUART, Pres't. *Pro tem.*

True copy, 20th January 1838.

J. J. ATKINSON, Secretary,

No. 9.

*Letter from Chief Engineer.*

ENGINEER'S OFFICE, BALT. AND OHIO RAIL ROAD.  
*Baltimore, January 17th 1838.*

To Louis McLane, Pres't.

In accordance with thy request, I have examined the report, and have now to submit the following statements and observations in relation to the subject of estimates and actual cost.

Upon an examination of the 1st and 2d annual report of the president and directors to the stockholders of the Baltimore and Ohio rail road company, and the documents accompanying them, it does not appear that any estimate by the engineers was made and reported of the probable cost of constructing the road previous to its commencement, founded upon quantities and their necessary distribution, ascertained from actual surveys, levelings and measurements. The surveys and definitive location of the first division, extending from the city to Ellicotts' Mills, appear to have been made speedily, and whilst that division was advertised for letting. No minute and detailed estimate of cost appears to have been required previous to the letting upon this, or any after portion of the line between Ellicott's Mills and the 'Point of Rocks,' at the Potomac. The contract prices, at first, forming the only basis of any estimate of the probable cost and measure of the amount of funds to be provided within a given period: and from the great want of experience at that time, in relation to works of such magnitude, and of such difficult and costly materials, it should not be matter of surprise if these prices were found to be quite inadequate.

Contracts were not entered into for any part of the graduation till the latter end of July 1828, and before the sufficiency of the prices in these contracts was tested, the board of engineers, in their 1st annual re-